

IN THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

U.S. COURT OF APPEALS

**FILED**

No. 05-50262  
USDC No. 5:04-CV-782  
USDC No. 5:01-CR-644-ALL-*FB*

FEB 23 2006

CHARLES M. FULDORFGE  
CLERK

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

ANGEL LATORRE,

Defendant-Appellant

Appeal from the United States District Court  
for the Western District of Texas

O R D E R:

Angel Latorre, federal prisoner # 28037-180, seeks a certificate of appealability (COA) from the district court's denial of his 28 U.S.C. § 2255 motion, which challenged his convictions for attempting to coerce a minor to engage in criminal sexual activity and traveling in interstate commerce with intent to engage in sexual activity with a juvenile. Latorre seeks relief on the basis of United States v. Booker, 543 U.S. 220 (2005).

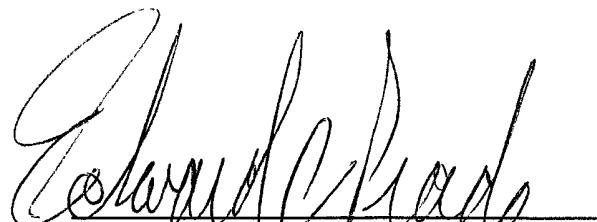
Latorre, however, has not shown "that reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." See Slack v. McDaniel, 529 U.S. 473,

A true copy  
Test  
Clerk, U.S. Court of Appeals, Fifth Circuit  
By *Mark Francis Novak* 36  
Deputy FEB 23 2006  
New Orleans, Louisiana

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484 (2000). Accordingly, Latorre's request for a COA is DENIED.

His request for appointment of counsel is DENIED as moot.



EDWARD C. PRADO  
UNITED STATES CIRCUIT JUDGE